REMARKS

The law firm of Harrington & Smith has been requested by the Assignee to assume responsibility for the further prosecution of this patent application. A revocation of the prior power of attorney and a new power of attorney, with a change of correspondence address, has been filed. All future communications regarding this patent application should be directed to customer number 29683.

Claims 1-7, 9-23, 25, and 27-31 were pending in this application and were rejected under 35 USC 103(a) as being unpatentable over Leung (US 6,501,746) in view of the newly applied Joong (US 6,549,776).

Claims 12 and 23 have been cancelled above without prejudice or disclaimer, and claims 32 and 33 have been newly added. No new matte is added, as claims 32 and 33 are similar in some respects to other pending claims.

A number of merely clarifying amendments have been made to the claims. No new matter is added.

The rejection of the claims under 35 U.S.C. § 103(a) is improper for at least the reason that the proposed combination of Leung and Joong (which is not admitted is suggested or proper) fails to disclose or suggest the pending claims.

The Examiner's arguments appear to some extent to be unclear and/or deficient: For example, it is unclear what element of Leung (and why) the Examiner considers as corresponding to the currently claimed subscriber database comprising subscriber data.

Regarding the claimed creation of subscriber database comprising subscriber data, the cited col. 6, line 65 to col. 7, l. 20 of Leung is merely about transmission of a Mobile IP registration request and how to provide identifiers in such a registration request. In any event, as a result of the foregoing amendment claim 1 no longer expressly recites "creating at least one database

comprising subscriber data".

Further, Leung fails to disclose the currently claimed use of a subscriber application, such as a SIM of a GSM terminal, comprised by the terminal: The cited portions of Leung only disclose the general transmission of a Mobile IP registration request.

Regarding the currently claimed communication between the terminal and said subscriber database, the newly cited col. 11, lines 15-20 is about care-of address acquisition and subsequent transmission of a Mobile IP registration request. As was noted above, it remains unclear which element of Leung the Examiner considers to correspond with the currently claimed subscriber database comprising subscriber data.

Regarding the currently claimed checking of right of the terminal to use said database, the cited col. 11, lines. 44-65 is instead concerned with authenticating a Mobile IP registration request (see also col. 11, lines. 54-56).

Leung further appears not to disclose the currently claimed features related to transmission of the subscriber data from the subscriber database. The cited portion (col. 11, line 44-col. 12, line 12) discusses authenticating a Mobile IP registration request, and a possible allocation of an IP address in response to successful authentication, and further updating of a mobility binding table with the IP address. This disclosure of Leung does not correspond to the currently claimed features. Leung, for example, fails to disclose the currently claimed "in response to the acceptable authentication of the subscriber database in the bearer network". There is no disclosure of authenticating a subscriber database (e.g., the mobility binding table, if the Examiner considers the table to correspond with the currently claimed subscriber database, which is not at all evident from the Examiner's comments).

Further in this regard Applicants submit that if the Examiner is equating Leung's mobility binding table with the claimed subscriber database, then data in the mobility binding table would allegedly correspond to the claimed subscriber data (though Applicants do not agree that this is

the case). Under this interpretation it appears that the Examiner relies on the mobile node ID (which is included in the mobility binding table) to correspond to both the claimed subscriber data and the claimed subscriber application, which is legally improper as both these claim elements cannot be interpreted to be equivalent to the same thing.

Leung also thus fails to disclose the currently claimed further use of the transmitted subscriber data.

Further, the cited col. 12, lines 1-12, concerns the home agent obtaining the IP address for the mobile node and updating the mobility binding table accordingly. This clearly does not disclose or suggest "modifying the subscriber database contents based on data received from the terminal".

As regards the newly cited Joong US Patent, it does not teach the above-indicated further features not disclosed by Leung. Furthermore, Joong fails to disclose the currently claimed subscriber database comprising subscriber data similar to data stored in a subscriber application comprised by the terminal, and subscriber data including authentication information. The cited disclosure in col. 5 is simply related to a WAP gateway transmitting a location request to determine a serving mobile switching center MSC 120 and MSC/VLR location area 117 for a wireless client 105.

As such, even if Leung and Joong were to be combined, which is not admitted is suggested or feasible, the resulting combination would still not teach or suggest the claimed subject matter.

One aspect of Applicant's invention relates to providing telecommunication services by creating a database that is in functional connection with a bearer network, in which the database comprises subscriber data that is similar to the data stored in a subscriber application (e.g., UMTS Subscriber Identity Module (USIM) application) comprised by a terminal. Thus, per various embodiments of Appellants' invention, subscriber data that was conventionally only stored in the subscriber application comprised by the terminal, is stored in a database that is in functional connection with the bearer network. The subscriber data stored in the database is used to provide

the terminal with telecommunication services.

Leung relates simply to IP address assignment in a Mobile IP system. In particular, Leung is directed to assigning an IP address to a mobile node during registration which is accomplished by mapping a mobile node ID (associated with the mobile node) to an assigned IP address. A registration request is sent by the mobile node to a Home Agent. Once an IP address is assigned to the mobile node, the IP address may be transferred to the mobile node in a registration reply composed by the Home Agent.

The Examiner previously alleged that Leung's "mobile node ID" of a mobile node (allegedly the claimed terminal) discloses the claimed "subscriber application" that stores data and is comprised by the terminal. Clearly, a mobile node identifier is not the same as a "subscriber application", for example, a USIM application, that stores data and is comprised by a terminal.

Applicant's specification clearly specifies that a "subscriber application", such as a USIM application, stores data and is comprised by a terminal (particularly, that the USIM application is stored on a smart card in the terminal). One of ordinary skill in the art, in light of the specification, would certainly not interpret a mobile node identifier to be the same as the claimed "subscriber application" which stores data and is comprised by a terminal.

Furthermore, and assuming arguendo that Leung's Home Agent is analogous to the claimed "bearer network", and that Leung's mobility binding table is analogous to the claimed database (though Applicants do not concede these assumptions), there is no disclosure in Leung of at least:: i) the mobility binding table being in functional connection with the Home Agent, ii) data in the mobility binding table (allegedly the subscriber data) being similar to the data stored in the subscriber application comprised by the terminal, or iii) the data in the mobility binding table including authentication information.

The use now of Joong for purportedly teaching a subscriber database with a functional connection to a bearer network, where subscriber data is similar to data stored in a subscriber

application of the terminal, where the subscriber data includes "authentication information" (which is clearly not admitted is the case), does not remedy the deficiencies in the teachings of Leung. As was noted above, the cited disclosure in col. 5 of Joong is simply related to a WAP gateway transmitting a location request to determine a serving mobile switching center MSC 120 and MSC/VLR location area 117 for a wireless client 105.

Thus, for at least these reasons the proposed combination of Leung and Joong clearly fails to disclose the subject matter recited in claim 1, and the rejection is improper and should be withdrawn. Independent claims 13, 25, and 31 recite similar features as claim 1, so the rejection of claims 13, 25, and 31 is likewise improper and must be withdrawn for at least the reasons presented relative to claim 1. Dependent claims 2-7, 9-11, 14-22, 27-30, 32 and 33 are allowable at least for the reason that they depend from allowable independent claims, as well as for the further features they recite.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Examiner is respectfully requested to reconsider and remove the rejections of the claims under 35 U.S.C. 103(a) based on Leung in view of Joong, and to allow all of the pending claims as now presented for examination. An early notification of the allowability of all of the pending claims is earnestly solicited.

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Respectfully submitted:

Harry F. Smith
Reg. No.: 32,493

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Date

Customer No.: 29683

HARRINGTON & SMITH, Attorneys At Law, LLC
4 Research Drive
Shelton, CT 06484-6212

Telephone: (203)925-9400 ext. 15
Facsimile: (203)944-0245
email: hsmith@hspatent.com

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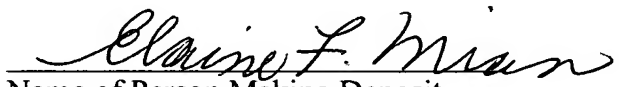

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